

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

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Public Servants – Panchayat Raj & Rural Development Department - Sri B.K.Kondappa, Junior Assistant, Anantapur District (Retd.)– Committed certain irregularities in misappropriation of Provident Fund, GIS and Professional Tax of Mandal Teachers – Disciplinary action initiated – Imposing punishment of 10% cut in pension permanently – by revoking the earlier punishment of stoppage of one increment already imposed on him as per Rule 9 of APRP Rules, 1980 - Orders – Issued.

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**PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.III) DEPARTMENT**

G.O.Ms.No: 59

Dated:5-3-2012

Read the following:-

1. From the CPR & RE,Hyd. Lr.No.1399/CPR-E2/97, dt. 12-10-1998.
2. Govt.Memo.No.21093/Vig.III/98-10, dt. 3-8-2001.
3. From the CPR&RE, Hyd., Lr.No.1399/CPR&RE/VS-2/97, dt: 9-3-02.
4. From Chief Executive Officer,,Ananthapur Lr.Rc.No.A1/2312/96, Dt. 5-6-2004.
5. Govt.Memo.No.21093/Vig.III/98-20, Dt. 31-1-2005.
6. From the CPR&RE, Hyd., Lr.No.1399/CPR&RE/VS-3/97, dt: 18-2-05.
7. From Chief Executive Officer,,Ananthapur Lr.Rc.No.A1/2312/96, Dt. 24-2-2005.
8. From the CPR&RE, Hyd., Lr.No.1399/CPR&RE/I-2/97, dt: 20-6-2008 (along with enquiry report).
9. From the CPR&RE, Hyd., Lr.No.1399/CPR&RE/I-2/97, dt: 10-8-2009.
10. Govt.Memo.No.21093/Vig.III/98-26, Dt. 18-3-2010.
11. From Chief Executive Officer,,Ananthapur Lr.Rc.No.A4/2312/96, Dt. 1-6-2010.
12. Govt.Memo.No.21093/Vig.III/98-28, Dt. 19-7-2011.
13. From Sri B.K.Kondappa, Retd. Junior Assistant, Explanation, dt.3-8-2011.
14. Govt.Memo.No.21093/Vig.III/98-29, Dt. 21-10-2011.
15. From Chief Executive Officer,,Ananthapur Lr.Rc.No.A4/2312/96, Dt. 15-11-2011.
16. Govt.Memo.No.21093/Vig.III/98-30, Dt. 21-1-2012.
17. From the Secretary, APPSC, Hyd., Lr.No.1854/RT-I/1/2011, dt.17-11-2011.

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**ORDER:-**

The Commissioner of Panchayat Raj and Rural Employment, Hyderabad in his letter in ref.1<sup>st</sup> read above, has stated that the Accounts Officer, Zilla Parishad, Anantapur verified the record pertaining to Elementary education and found that Sri B.K.Kondappa, Junior Assistant, has misappropriated an amount of Rs.2,83,637/- and out of the said amount the Delinquent Officer has remitted Rs.1,06,670/- and that a criminal case has been launched against the individual in this regard.

In the review meeting held on 21-7-2001, regarding misappropriation cases, in respect of Sri B.K.Kondappa, Junior Assistant, it was found that amount is being recovered and the D.O. has been let off with stoppage of one increment. Where as, as per the orders in vogue in all proven cases of misappropriation, the

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person should have been dismissed. It was therefore resolved to initiate action against the officer who has let off the accused officer with stoppage of one increment.

In the ref.2<sup>nd</sup> read above, the Commissioner of Panchayat Raj and Rural Employment, Hyderabad was requested to initiate action against Sri B.K.Kondappa, Junior Assistant, Mandal Parishad, Anantapur for dismissal from service immediately.

In the ref.3<sup>rd</sup> read above, a show cause notice was issued by the Commissioner of Panchayat Raj and Rural Employment, Hyderabad calling for the explanation of the individual to show cause as to why a higher punishment should not be imposed against him as per G.O.Ms.No.2, GAD (Ser.C) Deptt., dt.1-4-1999. In the ref.4<sup>th</sup> read above, the Chief Executive Officer, Zilla Parishad, Anantapur has stated that as per the legal opinion obtained from the standing counsel for Z.Ps., the disciplinary authority i.e. Chief Executive Officer, Zilla Parishad, can not impose punishment once again and the Govt. alone is competent to impose punishment and take appropriate action as deemed fit.

In the ref.7<sup>th</sup> read above, the Chief Executive Officer, Zilla Parishad, Anantapur has reported that the Accounts Officer, Zilla Parishad, Anantapur was appointed as Enquiry officer to conduct detailed enquiry into the charges framed against Sri B.K.Kondappa, Junior Assistant. The Accounts Officer, Zilla Parishad, Anantapur in his report dt. 21-6-96 has confirmed the misappropriation done by the Delinquent Officer. Basing on the report of the Accounts Officer, Sri G.Koteswara Rao, Chief Executive Officer, Zilla Parishad, was appointed as Enquiry Officer, to probe into the said allegations. Sri G.Koteswara Rao, Chief Executive Officer has finalized the disciplinary case against the Delinquent Officer by awarding the punishment of stoppage of one increment with cumulative effect, as the Delinquent Officer has admitted the charges framed against him. As the punishment imposed by the Enquiry officer is not in conformity with the instructions in vogue, the Govt. have imposed the penalty of 10% cut in pension against Sri G.Koteswara Rao, Chief Executive Officer, & Enquiry Officer (Retd.) vide G.O.Rt.No.1200, PR&RD (E.VI) Dept., dt.12-8-2004 for his lapse in having imposed lesser punishment against the Delinquent Officer.

In the ref.11<sup>th</sup> read above, the Chief Executive Officer, Zilla Parishad, Anantapur has reported that no criminal case is pending against Sri B.K.Kondappa, Junior Assistant, (Retd.), Mandal Parishad, Anantapur. Further, the Chief Executive Officer, Zilla Parishad, Anantapur addressed the Station House Officer-I Town Police Station, Anantapur with a request to inform the status of the criminal case launched against Sri B.K.Kondappa, Junior Assistant, (Retd.), MP, Anantapur. The Station House Officer in his letter dt.31-5-2010 has stated that a case vide Cr.No.268/1996 U/s 409&406 IPC of I Town Police Station, Anantapur was registered on 21-6-1996 against Sri B.K.Kondappa, Junior Assistant, (Retd.), and the during the course of investigation the above case was referred as Un-detectable on 28-04-1997 and the same was taken on file vide Rc.No.23/97, dt.2-5-1997 of Addl. Judicial Magistrate of First Class, Anantapur.

Govt. have examined the matter carefully and proposed to impose 10% cut in pension permanently against Sri B.K.Kondappa, Junior Assistant, (Retd.), for having misappropriated Govt. money pertaining to PF., GIS., and P.Tax of Mandal Teachers.

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In ref.12<sup>th</sup> read above, a show cause notice was issued to Sri B.K.Kondappa, Jr.Asst.(Retd.), calling for his explanation on the proposed punishment.

In the ref.13<sup>th</sup> read above, Sri B.K.Kondappa, Junior Assistant, (Retd.), MP, Anantapur has submitted his explanation where in he has stated that he was already punished with stoppage of one annual grade increment with cumulative effect. The proposed punishment of 10% cut in his pension permanently will be in addition to the punishment already imposed and it will be a double jeopardy for him and hence he has requested to revoke the earlier punishment.

Govt. have examined the matter carefully and decided to impose the punishment of 10% cut in pension permanently against Sri B.K.Kondappa, Junior Assistant, Anantapur District now retired by revoking the earlier punishment of stoppage of one annual grade increment with cumulative effect (amount worked out to Rs.21,435/-) already imposed on him for the irregularities committed in misappropriation of PF, GIS and P.Tax of Mandal Teachers accordingly.

Accordingly Govt. hereby order to impose punishment of 10% cut in pension permanently against Sri B.K.Kondappa, Junior Assistant, (Retd.) by revoking the earlier punishment of stoppage of one increment with cumulative effect already imposed on him as per Rule 9 of APRP Rules, 1980 with immediate effect.

The Commissioner of Panchayat Raj and Rural Employment, Hyderabad ad shall take action accordingly under intimation to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.R.BISWAL  
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To

The Commissioner of Panchayat Raj and Rural Employment,  
Andhra Pradesh, Hyderabad.

Sri B.K.Kondappa, Junior Assistant, (Retd.) through the CEO, ZP, Anantapur.  
The Chief Executive Officer, Anantapur.

Copy to:

The Secretary to VC, APVC, Hyd.

The District Treasury Officer, Anantapur.

The Accountant General, AP- Hyderabad,

The Secretary, A.P. Public Service Commission, Hyderabad,  
Sf/Sc.

//FORWARDED BY ORDER //

SECTION OFFICER